

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 860 OF 2005

MBPT General Workers Union.] .. Petitioners

Versus

1. The Chairman, Mumbai Port Trust]
 & 2 ors.] .. Respondents

Mr. V. Narayan i/b V.M. Parkar for the petitioners.

Mr. Umesh Shetty i/b M/s. Mulla & Mulla and Cragie
Blunt & Caroe for respondent No.1.

Mr. G.W. Mattos, AGP, for respondent No.2.

Mrs. P.A. Purandare for respondent No.3-Corpn.

CORAM: R.M. LODHA &
A.S. BAGGA, JJ.

DATED: 21ST JUNE, 2006

P.C. :

. Pursuant to our order passed on 7th July, 2006, an Affidavit has been filed by Mrs. Priya Hari Phadke, Assistant Commissioner of Police (HQ-III) attached to the Office of the Police Commissioner, Mumbai.

2. It transpires from the said Affidavit that the Police authorities/Government intend to construct Police

Quarters on the subject plot. It is also stated that sometime in December 2004, due to road concretisation programme of Mohammed Ali Road taken up by Municipal Corporation of Greater Mumbai, debris etc. were dumped at the subject site.

3. Having considered the Affidavit of Mrs. Priya Hari Phadke, we pass the following order:

(1) The respondent No.3 - Municipal Corporation of Greater Mumbai shall remove the debris etc. dumped on the subject plot as early as possible and in no case later than 4 weeks from today.

(2) The cost of removal of debris etc. from the subject plot shall be recovered by the Municipal Corporation of Greater Mumbai from the office of the Police Commissioner, Mumbai.

(3) As regards the statement made in the said Affidavit that the Government intends to construct Police Quarters on the subject land, we direct that the State Government/ Commissioner of Police, Mumbai shall initiate

the process for the construction of Police Quarters on the subject plot expeditiously and until then, the Commissioner of Police, Mumbai shall ensure that the subject plot is protected from unauthorised construction and no dumping takes place at the subject plot.

(4) We were informed by the Assistant Government Pleader that there is some dispute with the Mumbai Port Trust regarding the rent. We direct the State Government/ Commissioner of Police, Mumbai to resolve the dispute concerning the rent within 6 months from today and ensure that due payment of rent is made to the Mumbai Port Trust.

4. Writ Petition stands disposed of.

Sd/-
[R.M. LODHA, J.]

Sd/-
[A.S. BAGGA, J.]